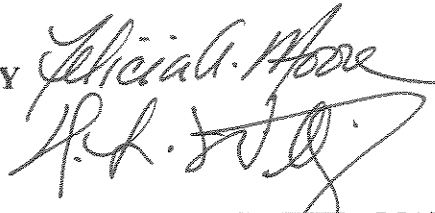


AN ORDINANCE BY



07-0 -2216

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE TWO QUITCLAIM DEEDS FOR THE PURPOSE OF GRANTING RIGHTS OF WAY, AND ONE PERMANENT EASEMENT DEED FOR THE PURPOSE OF PROVIDING CONTINUING ACCESS, TO THE GEORGIA DEPARTMENT OF TRANSPORTATION ("GDOT"), WITH REGARD TO LAND LOCATED AT 5025 NEW PEACHTREE ROAD, CHAMBLEE, FULTON COUNTY, GEORGIA ("PROPERTY") TO ENABLE GDOT TO PROCEED WITH BRIDGE REPLACEMENT ON GEORGIA STATE ROUTE 280 WHERE IT CROSSES OVER THE CHATTAHOOCHEE RIVER IN LAND LOT 253 OF THE 17TH AND 18TH DISTRICTS OF FULTON COUNTY, GEORGIA; TO WAIVE THE APPRAISALS THEREFORE, AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta is the record owner of certain property located at 5025 New Peachtree Road, Chamblee, Georgia, in Land Lot 253 of the 17th and 18th Districts, Fulton County, Georgia (the "Property"), and

WHEREAS, the Georgia Department of Transportation ("GDOT") has determined that the present two lane SR 280/James Jackson Parkway Bridge that crosses the Chattahoochee River at the Cobb County and Fulton County lines is in disrepair and in need of immediate replacement; and

WHEREAS, the Georgia Department of Transportation ("GDOT") desires to completely replace the bridge with a new four lane bridge; and

WHEREAS, GDOT has requested that the City quitclaim rights of way and a permanent access easement to facilitate the removal of the present bridge and the construction of a new bridge; and

WHEREAS, GDOT will pay to the City the fair market value of the properties being conveyed; and

WHEREAS, Section 2-1574 of the City Code of Ordinances states that in any sale of City real property, at least one appraisal will be obtained by the City; and

WHEREAS, GDOT has already obtained their own appraisals for all of the property to be conveyed by the City to GDOT; and

WHEREAS, There is a need to move this bridge replacement forward with all due speed and diligence; and

WHEREAS, the Commissioner of the Department of Public Works ("DPW") and the Commissioner of the Department of Parks, Recreation, and Cultural Affairs ("DPRCA") have each recommended that the City execute quitclaim deeds conveying rights of way and a permanent access easement to GDOT for this essential project.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS AS FOLLOWS:

SECTION 1: The Mayor is hereby authorized to execute two quitclaim deeds conveying rights of way and one permanent quitclaim easement deed conveying a portion of the City of Atlanta's interest in the property located at 5025 New Peachtree Road, Chamblee, Georgia, in Land Lot 253 of the 17th and 18th Districts, Fulton County, Georgia, and more particularly described in Exhibits "A" "B" and "C" attached hereto, for the consideration of the fair market value of the properties, to the Georgia Department of Transportation so that GDOT may replace the present two lane SR 280/James Jackson Parkway Bridge that crosses the Chattahoochee River at the Cobb County and Fulton County lines with a new four lane bridge.

SECTION 2: The requirements of section 2-1574 of the Atlanta City Code with respect to the requirement that the City obtain appraisals for the property to be deeded to GDOT be waived and permit the transaction to move forward based on the real estate appraisals already obtained by GDOT.

SECTION 3: The proceeds from the sale of the Property will be allocated to DPRCA and DPW based on the square footage of land in each department's purview.

SECTION 4: The City Attorney is directed to prepare the appropriate quitclaim deeds as described above, for execution by the Mayor.

SECTION 5: All Ordinances and parts of Ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of the conflict.

PROJECT NO.: BRM-900(31) Fulton County

P. I. NO.: 721850

PARCEL NO.: 5

DATE OF R/W PLANS: April 28, 2007

REVISION DATE: September 20, 2007

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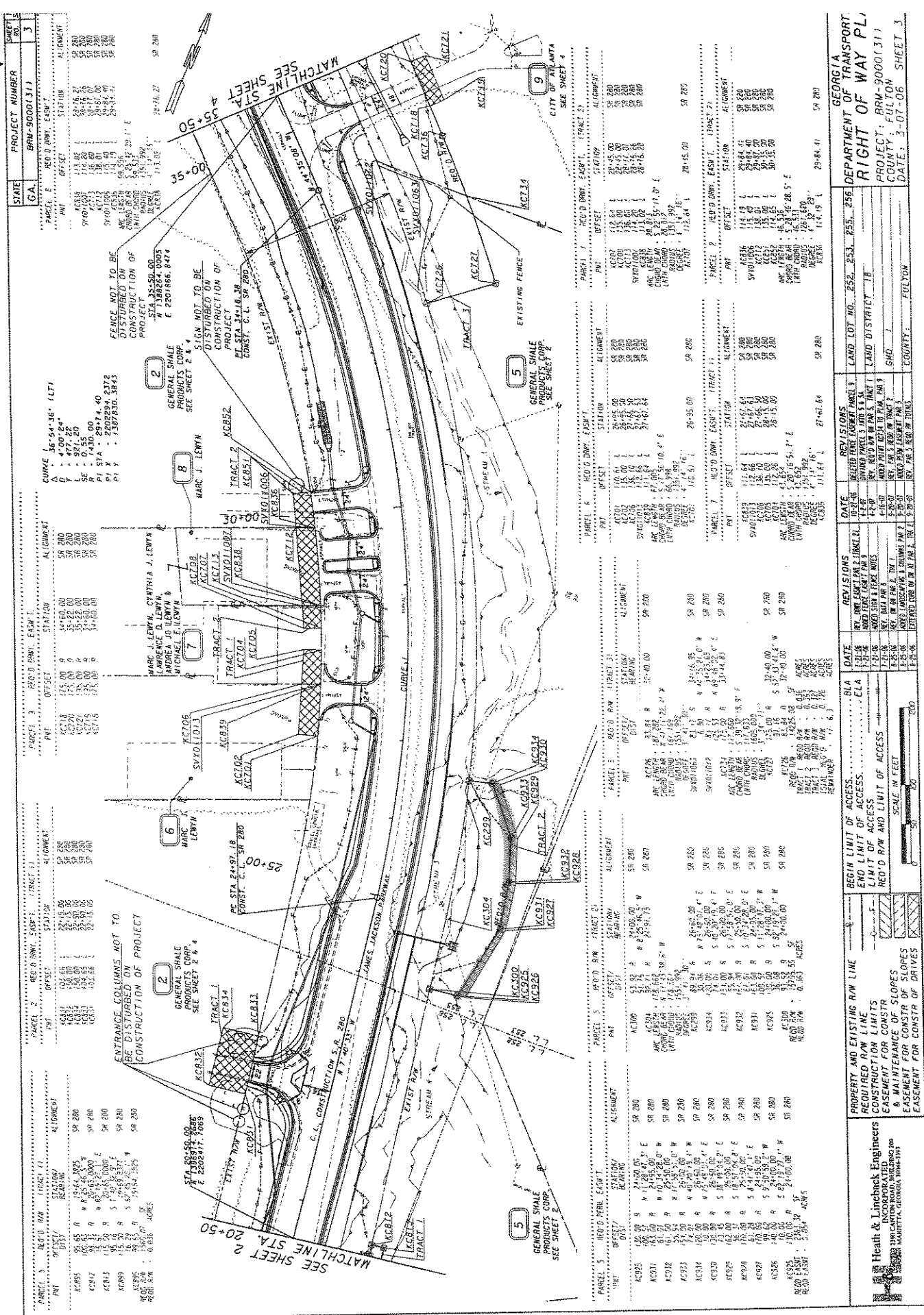
All that tract or parcel of land lying and being in Land Lot 253 of the 17 & 18 Land District and/or 1 & 992 Georgia Militia District of Fulton County, Georgia, being more particularly described as follows:

Beginning at a point 130 feet right of and opposite Station 24+00.00 on the construction centerline of James Jackson Parkway on Georgia Highway Project No. BRM-900(31) ; running thence N 11°28'47.3" E a distance of 100.57 feet to a point 163.00 feet right of and opposite station 24+95.00 on said construction centerline laid out for SR 280; thence N 10°34'28.0" W a distance of 61.01 feet to a point 161.00 feet right of and opposite station 25+50.00 on said construction centerline laid out for SR 280; thence N 17°58'51.0" W a distance of 55.94 feet to a point 154.00 feet right of and opposite station 26+00.00 on said construction centerline laid out for SR 280; thence N 40°20'19.4" W a distance of 74.01 feet to a point 120.00 feet right of and opposite station 26+60.00 on said construction centerline laid out for SR 280; thence N 75°48'01.4" E a distance of 10.00 feet to a point 130.00 feet right of and opposite station 26+60.00 on said construction centerline laid out for SR 280; thence S 38°49'04.2" E a distance of 73.45 feet to a point 162.00 feet right of and opposite station 26+00.00 on said construction centerline laid out for SR 280; thence S 18°57'04.8" E a distance of 56.37 feet to a point 170.00 feet right of and opposite station 25+50.00 on said construction centerline laid out for SR 280; thence S 8°41'47.1" E a distance of 61.28 feet to a point 170.00 feet right of and opposite station 24+95.00 on said construction centerline laid out for SR 280; thence S 9°50'59.2" W a distance of 99.62 feet to a point 140.00 feet right of and opposite station 24+00.00 on said construction centerline laid out for SR 280; thence S 82°19'27.1" W a distance of 10.00 feet back to the point of beginning. Containing 0.054 acres more or less

EXHIBIT

tabbles

A



PROJECT NO.: BRM-900(31) Fulton County

P. I. NO.: 721850

PARCEL NO.: 5

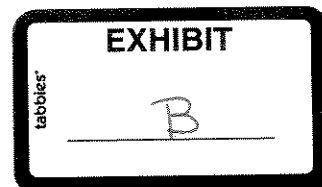
DATE OF R/W PLANS: April 28, 2007

REVISION DATE: September 20, 2007

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All that tract or parcel of land lying and being in Land Lot 253 of the 17 & 18 Land District and/or 1 & 992 Georgia Militia District of Fulton County, Georgia, being more particularly described as follows:

Beginning at a point 93.92 feet right of and opposite Station 24+00.00 on the construction centerline of James Jackson Parkway on Georgia Highway Project No. BRM-900(31) ; running thence N 8°25'46.5" W a distance of 91.76 feet to a point 92.71 feet right of and opposite station 24+91.75 on said construction centerline laid out for SR 280; thence northwesterly 178.662 feet along the arc of a curve (said curve having a radius of 1551.992 feet and a chord distance of 178.564 feet on a bearing of N 11°43'38.6" W) to the point 89.94 feet right of and opposite station 26+60.00 on said construction centerline laid out for SR 280; thence N 75°48'01.4" E a distance of 30.06 feet to a point 120.00 feet right of and opposite station 26+60.00 on said construction centerline laid out for SR 280; thence S 40°20'19.4" E a distance of 74.01 feet to a point 154.00 feet right of and opposite station 26+00.00 on said construction centerline laid out for SR 280; thence S 17°58'51.0" E a distance of 55.94 feet to a point 161.00 feet right of and opposite station 25+50.00 on said construction centerline laid out for SR 280; thence S 10°34'28.0" E a distance of 61.01 feet to a point 163.00 feet right of and opposite station 24+95.00 on said construction centerline laid out for SR 280; thence S 11°28'47.3" W a distance of 100.57 feet to a point 130.00 feet right of and opposite station 24+00.00 on said construction centerline laid out for SR 280; thence S 82°19'27.1" W a distance of 36.08 feet back to the point of beginning. Containing 0.363 acres more or less.



PROJECT NO.: BRM-900(31) Fulton County

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PARCEL NO.: 5

DATE OF R/W PLANS: April 28, 2007

REVISION DATE: September 20, 2007

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All that tract or parcel of land lying and being in Land Lot 253 of the 17 & 18 Land District and/or 1 & 992 Georgia Militia District of Fulton County, Georgia, being more particularly described as follows:

Beginning at a point 99.65 feet right of and opposite Station 19+64.3825 on the construction centerline of James Jackson Parkway on Georgia Highway Project No BRM-900(31) ; running thence N 8°25'46.5" W a distance of 100.63 feet to a point 98.33 feet right of and opposite station 20+65.0000 on said construction centerline laid out for SR 280; thence N 82°19'27.1" E a distance of 16.67 feet to a point 115.00 feet right of and opposite station 20+65.0000 on said construction centerline laid out for SR 280; thence S 7°40'32.9" E a distance of 95.16 feet to a point 115.00 feet right of and opposite station 19+69.8377 on said construction centerline laid out for SR 280; thence S 62°45'28.1" W a distance of 16.29 feet back to the point of beginning. Containing 0.036 acres more or less

PROJECT NO.: BRM-900(31) Fulton County

P. I. NO.: 721850

PARCEL NO.: 5

DATE OF R/W PLANS: April 28, 2007

REVISION DATE: September 20, 2007

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All that tract or parcel of land lying and being in Land Lot 253 of the 17 & 18 Land District and/or 1 & 992 Georgia Militia District of Fulton County, Georgia, being more particularly described as follows:

Beginning at a point 83.84 feet right of and opposite Station 32+40.00 on the construction centerline of James Jackson Parkway on Georgia Highway Project No. BRM-900(31) ; running thence northwesterly 187.282 feet along the arc of a curve (said curve having a radius of 1551.992 feet and a chord distance of 187.169 feet on a bearing of N 41°11'22.4" W) to the point 83.17 feet right of and opposite station 34+16.95 on said construction centerline laid out for SR 280; thence N 44°35'21.0" W a distance of 6.80 feet to a point 83.17 feet right of and opposite station 34+23.68 on said construction centerline laid out for SR 280; thence N 89°48'02.4" E a distance of 125.53 feet to a point 175.00 feet right of and opposite station 33+44.83 on said construction centerline laid out for SR 280; thence southeasterly 117.660 feet along the arc of a curve (said curve having a radius of 1605.000 feet and a chord distance of 117.633 feet on a bearing of S 39°32'18.9" E) to the point 175.00 feet right of and opposite station 32+40.00 on said construction centerline laid out for SR 280; thence S 52°33'41.6" W a distance of 91.16 feet back to the point of beginning. Containing 0.327 acres more or less

PROJECT NO.: BRM-900(31) Fulton County

P. I. NO.: 721850

PARCEL NO.: 09

DATE OF R/W PLANS: April 28, 2007

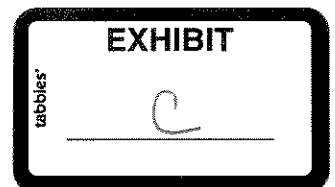
REVISION DATE: August 24, 2007

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All that tract or parcel of land lying and being in Land Lot 253 of the 17 & 18 Land District and/or 1 & 992 Georgia Militia District of Fulton County, Georgia, being more particularly described as follows:

ALSO, granted is the right to construct and maintain any required slopes within the easement area shown colored _____ on the attached plat.

Beginning at a point 83.17 feet right of and opposite Station 34+23.68 on the construction centerline of James Jackson Parkway on Georgia Highway Project No. BRM-900(31) ; running thence N 44°35'08.2" W a distance of 560.31 feet to a point 83.17 feet right of and opposite station 39+83.99 on said construction centerline laid out for SR 280; thence northeasterly 82.988 feet along the arc of a curve (said curve having a radius of 678.920 feet and a chord distance of 82.937 feet on a bearing of N 54°46'29.2" E) to the point 165.00 feet right of and opposite station 39+70.50 on said construction centerline laid out for SR 280; thence S 44°35'08.4" E a distance of 405.50 feet to a point 165.00 feet right of and opposite station 35+65.00 on said construction centerline laid out for SR 280; thence N 45°24'51.6" E a distance of 10.00 feet to a point 175.00 feet right of and opposite station 35+65.00 on said construction centerline laid out for SR 280; thence S 44°35'08.4" E a distance of 146.62 feet to a point 175.00 feet right of and opposite station 34+18.38 on said construction centerline laid out for SR 280; thence southeasterly 82.552 feet along the arc of a curve (said curve having a radius of 1605.000 feet and a chord distance of 82.543 feet on a bearing of S 43°06'43.8" E) to the point 175.00 feet right of and opposite station 33+44.83 on said construction centerline laid out for SR 280; thence S 89°48'02.4" W a distance of 125.53 feet back to the point of beginning. Containing 1.167 acres more or less.



Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: City Utilities

Caption: AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE TWO QUITCLAIM DEEDS FOR THE PURPOSE OF GRANTING RIGHTS OF WAY, AND ONE PERMANENT EASEMENT DEED FOR THE PURPOSE OF PROVIDING CONTINUING ACCESS, TO THE GEORGIA DEPARTMENT OF TRANSPORTATION ("GDOT"), WITH REGARD TO LAND LOCATED AT 5025 NEW PEACHTREE ROAD, CHAMBLEE, FULTON COUNTY, GEORGIA ("PROPERTY") TO ENABLE GDOT TO PROCEED WITH BRIDGE REPLACEMENT ON GEORGIA STATE ROUTE 280 WHERE IT CROSSES OVER THE CHATTAHOOCHEE RIVER IN LAND LOT 253 OF THE 17TH AND 18TH DISTRICTS OF FULTON COUNTY, GEORGIA; TO WAIVE THE APPRAISALS THEREFORE, AND FOR OTHER PURPOSES.

Council Meeting Date: November 5, 2007

Requesting Dept.: Public Works

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

This legislation authorizes the Mayor to execute two quick claim deeds for the purpose of granting a right of way and permanent easement to the Georgia Dept of Transportation with regard to land located at 5025 New Peachtree Road.

2. Please provide background information regarding this legislation.

The purpose of this legislation will enable GDOT to proceed with bridge replacement on Georgia State Route 280 where it crosses over the Chattahoochee River in Land Lot 253 of the 17th and 18th Districts in Fulton County.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:**

(c) **Bids/Proposals Due:**

(d) **Invitations Issued:**

(e) **Number of Bids:**